IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant   : George W. Landry   Art Unit:
Serial No. : Div'l of 09/332,846   Examiner:
Filed   : May 7, 2001
For   : SYSTEM AND METHOD FOR PAYING BILLS AND OTHER
              OBLIGATIONS INCLUDING SELECTIVE PAYOR AND PAYEE
              CONTROLS

Assistant Commissioner of Patents
Washington, DC 20231

PRELIMINARY AMENDMENT

Please amend the application at page 1, after the title, by inserting --This application is a divisional of previously filed application Serial No. 09/332,846, filed June 14, 1999, now allowed, which is a divisional of Serial No. 08/889,606, filed July 8, 1997, now U.S. Patent 5,956,700, which is a divisional of application Serial No. 08/253,364, file June 3, 1994, now U.S. Patent 5,649,117.--

Please cancel claims 1-24, and insert new claims 25-58 as follows:

--25. A bill paying system, comprising

storage for payee information for each of a plurality of payees,

storage for payor information, the payor information including parameters established by a payor for enabling

transfers of funds to a payee from the payor establishing the parameters,

a funds transfer generator generating electronic funds transfer messages causing a transfer of an identified amount of funds for an identified payor and an identified payee using bill data, the stored payee information for the payee and/or the stored payor information for the payor,

a communication device for receiving bill data from a plurality of payees, and causing an interactive device to present a plurality of transactions representing bills of at least two different payees.

26. The bill paying system of claim 25 wherein the communication interface is responsive to the payor's authorization of a bill to cause said funds transfer interface to generate an electronic funds transfer message corresponding to the bill.

27. The bill paying system of claim 26 wherein authorization of a bill is indicated by direct entry and selection of an item representing a transaction presented using the interactive device.

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28. The system of claim 25 wherein the interactive device comprises a digital computer under the control of the payor, and said transactions are presented to a payor on a computer display.

29. The system of claim 25 wherein the interactive device comprises a telephone under the control of the payor, and said transactions are presented to a payor via the telephone.

30. The system of claim 25 wherein the interactive device comprises an automated teller machine (ATM) under the control of the payor, and said transactions are presented to a payor on an ATM display.

31. The system of claim 25 wherein said transactions identify a date by which funds are to be transferred from the payor to a payee in payment of a bill.

32. The system of claim 25 wherein said interactive device permits specification of a date by which funds are to be transferred from the payor to a payee in payment of a bill.

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33. The system of claim 25 wherein said transactions identify an amount of funds to be transferred from the payor to a payee in payment of a bill.

34. The system of claim 25 wherein said interactive device permits specification of an amount of funds to be transferred from the payor to a payee in payment of a bill.

35. The system of claim 25 wherein said transactions identify a payee originating a bill.

36. The system of claim 35 wherein a payee is identified by name.

37. The system of claim 35 wherein a payee is identified by an identifier.

38. The system of claim 27 wherein the interactive device presents to the payor one or more functions, and the payor communication interface is responsive to a payor's selection of a function at the interactive device.

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39. The system of claim 38 wherein the payor communication interface responds to selection of a reversal function at the interactive device by generating one or more electronic funds transfer messages transferring from an identified payee and to an identified payor an amount previously transferred from the payor to the payee.

40. The system of claim 25 wherein the control parameters for a payor include a maximum payment amount which may be transferred by the funds transfer interface, the system preventing transfers of funds which exceed the maximum payment amount, and wherein the payor communication interface responds to selection of a maximum payment at the interactive device by altering the maximum payment amount for the payor.

41. The system of claim 25 wherein the control parameters for a payor include a minimum interval time between transfers of funds to a single payee by the funds transfer interface, the system preventing a transfer of funds if any other transfer of funds for the payor and payee occurred during the minimum interval of time identified for the payee in the stored control parameters of the payor, and wherein the payor communication interface responds to selection of a minimum

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interval at the interactive device by altering the minimum

interval time for the payor.

42. A bill paying method, comprising

storing payee information for each of a plurality of

payees,

storing payor information, the payor information

including parameters established by a payor for enabling

transfers of funds to a payee from the payor establishing the

parameters,

generating electronic funds transfer messages causing a

transfer of an identified amount of funds for an identified payor

and an identified payee using bill data, the stored payee

information for the payee and/or the stored payor information for

the payor,

receiving bill data from a plurality of payees, and

causing an interactive device to present a plurality of

transactions representing bills of at least two different payees.

43. The bill paying method of claim 42 further

comprising responding to the payor's authorization of a bill by

generating an electronic funds transfer message corresponding to

the bill.

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44. The bill paying method of claim 42 wherein authorization of a bill is indicated by direct entry and selection of an item representing a transaction presented using the interactive device.

45. The method of claim 42 wherein the interactive device comprises a digital computer under the control of the payor, and said transactions are presented to a payor on a computer display.

46. The method of claim 42 wherein the interactive device comprises a telephone under the control of the payor, and said transactions are presented to a payor via the telephone.

47. The method of claim 42 wherein the interactive device comprises an automated teller machine (ATM) under the control of the payor, and said transactions are presented to a payor on an ATM display.

48. The method of claim 42 wherein said transactions identify a date by which funds are to be transferred from the payor to a payee in payment of a bill.

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49. The method of claim 42 wherein said interactive device permits specification of a date by which funds are to be transferred from the payor to a payee in payment of a bill.

50. The method of claim 42 wherein said transactions identify an amount of funds to be transferred from the payor to a payee in payment of a bill.

51. The method of claim 42 wherein said interactive device permits specification of an amount of funds to be transferred from the payor to a payee in payment of a bill.

52. The method of claim 42 wherein said transactions identify a payee originating a bill.

53. The method of claim 52 wherein a payee is identified by name.

54. The method of claim 52 wherein a payee is identified by an identifier.

55. The method of claim 44 wherein the interactive device presents to the payor one or more functions, and further

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comprising responding to a payor's selection of a function at the interactive device.

56. The method of claim 55 further comprising responding to selection of a reversal function at the interactive device by generating one or more electronic funds transfer messages transferring from an identified payee and to an identified payor an amount previously transferred from the payor to the payee.

57. The method of claim 42 wherein the control parameters for a payor include a maximum payment amount which may be transferred by the funds transfer interface, the method preventing transfers of funds which exceed the maximum payment amount, and further comprising responding to selection of a maximum payment at the interactive device by altering the maximum payment amount for the payor.

58. The method of claim 42 wherein the control parameters for a payor include a minimum interval time between transfers of funds to a single payee by the funds transfer interface, the method preventing a transfer of funds if any other transfer of funds for the payor and payee occurred during the

minimum interval of time identified for the payee in the stored

control parameters of the payor, and further comprising

responding to selection of a minimum interval at the interactive

device by altering the minimum interval time for the payor.--

<u>Remarks</u>

This divisional is directed to claims rejected in the

parent application, and canceled therefrom.

Responding to the Examiner's remarks, Applicant notes

that all payment methods described within the Checkfree/Kight

system are described in the context of the overall objective of

controlling credit risk of the service provider. While the

Examiner is correct that in some cases payments are made on the

account of the service provider, this is only done where the

credit risks of doing so have been deemed to be sufficiently low.

See, e.g., col. 6 lines 32-38: "If a payment amount is greater

than the consumer's credit limit, the item is released as a draft

76 which is written on the consumer's account. If the payment

amount plus the total of electronic payments in a particular

month is greater than the consumer's credit limit, the item is
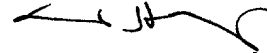
released as a draft".

The premise of the Examiner's reply appears to be that

there would be reason to combine Pickering with Checkfree/Kight

because Checkfree/Kight under some limited circumstances will

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make payments on its own account. But as Applicant has previously pointed out, in Pickering the service bureau by the nature of its operation always makes payments on its own account. Thus, the fact remains that Pickering is incompatible with Checkfree/Kight as Pickering requires credit risks, which Checkfree/Kight prevents or tightly controls. This would act against any motivation to combine the systems, since they are not compatible.

The Examiner's statement that "if the prior art structure is capable of performing the intended use, then it meets the claim limitation". This statement is correct as stated, but the Examiner is using it to mean something else. The cited cases does not stand for the proposition that, if a combination of references that yields the claim limitations could have been made, then merely showing that the combination could have been made is sufficient to make the rejection. The law, in fact, is quite clear that the combination must not only be possible, it must be consistent with the references and in some way motivated or suggested. It is at this point that Applicant is arguing: the incompatibility between what Pickering requires and what Checkfree/Kight does would act against any combination that "could" be made.

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Applicant thus maintains the position that the claims presented are allowable over the references that have been cited, and requests issuance of a Notice of Allowability.

Respectfully submitted,

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